

REMARKS/ARGUMENTS

Claims 5-16 are now in the case.

Claim 5 has been amended to recite the presence of the metal-containing bleach catalyst. Basis is at page 44, l. 16-18. Claim 5 now also recites the anionic surfactant and the optional peroxygen source. Basis is in original Claim 1. Claim 6 has been amended to depend from Claim 5, and Claim 7 to depend from Claim 6. Claim 8 now also depends from Claim 5, as does Claim 16. It is submitted that all amendments are fully supported, and entry is requested.

Amendment to Specification

The Specification has been amended at page 1 to also refer to the 371 application filing, per the Examiner's comment at page 2 of the Office Action. However, as noted in the previous responsive amendment, the records of Applicants' assignee indicate that the present application is, in fact, a continuation of that application. Accordingly, it is submitted that the priority claim is correct.

Restriction Requirement

Applicants herewith affirm the provisional election of the invention of Group I.

Moreover, Claim 5 now relates to compounds of formula XI. The Examiner has noted (Office Action page 4) that XI is a species of the compounds of Group I and has been included in the examination.

In short, it is submitted that all aspects of the Restriction Requirement have been met.

For the record, any cancellation of claims herewith is without prejudice to Applicants' right to pursue all such claims (and species) in appropriate Divisional Applications.

35 USC 101 Double Patenting Rejection

All claims stand rejected under §101, for reasons of record at page 11 of the Office Action.

Applicants respectfully traverse the rejections on this basis.

As noted above, the claims herein now focus on species XI and require the presence of the metal-containing bleach catalyst. Accordingly, it is submitted that they are outside the scope of claims in copending Application 10/069,631.

In any event, it is noted that the rejection on this basis is provisional, since the assertedly conflicting claims have not, in fact, been patented.

On the basis of the foregoing, it is submitted that the rejections on this basis should be held in abeyance, or withdrawn entirely.

Claims 1-15, 17-20, 25, 27-34 and 37-44 stand provisionally rejected, for reasons of record at page 11 of the Office Action.

It is submitted that Claim 5, as amended herewith, and all claims depending therefrom encompass material limitations other than those of the copending applications cited at page 11 of the Office Action. However, in order to speed prosecution, submitted herewith is a Terminal Disclaimer over Applications No. 10/069630, No. 10/069634, No. 10/069632 and No. 10/069629.

Rejections Under 35 USC 102

Claims 1, 3, 4, 6, 8 and 17 stand rejected over US 5,482,515, for reasons of record at page 6 of the Office Action.

Claims 2, 5, 7, 10, 20, 25, 27-32 and 37-44 stand rejected as anticipated, for reasons of record at page 7 of the Office Action.

Claims 1, 3, 4, 6-8, 10-13 and 17 stand rejected over WO 95/13353, for reasons of record at pages 8-9 of the Office Action.

Claims 2, 5, 20, 25, 27-32 and 37-44 stand rejected for reasons of record at pages 9-10 of the Office Action.

The cancellation of Claims 1-4 and 17-44 has obviated all §102 rejections relating to those claims.

Applicants respectfully traverse all rejections under §102.

All claims now in the case ultimately depend back to Claim 5, which, as amended herewith, recites the presence of the metal-containing bleach catalyst. While '515 and WO95 recite a wide variety of ingredients for use in the disclosed compositions, it is submitted that such metal-containing catalyst is not taught in either '515 or WO95. Therefore, reconsideration and withdrawal of the rejections on this basis are requested.

Rejections Under 35 USC 103 and 102/103

Claims 2, 5, 7, 10, 20, 25, 27-32 and 37-44 stand rejected under §103 (or 102, above) over U.S. 5, 482,515, for reasons of record at page 7 of the Office Action.

Claims 9, 14, 15, 18, 19, 33 and 34 stand rejected over '515, for reasons of record at pages 7-8 of the Office Action.

Claims 2, 5, 20, 25, 27-32 and 37-44 stand rejected over WO 95/13353 under §103 (or 102, above) for reasons of record at page 9 of the Office Action.

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Claims 9, 14, 15, 18, 19, 33 and 34 stand rejected over WO95, for reasons of record at page 10 of the Office Action.


Applicants respectfully traverse all rejections under §103 and §§102/103, to the extent they may apply to the claims as now amended.

As noted above with regard to the rejections under §102, all rejections of Claims 1-4 and 17-44 have been obviated by the cancellation of those claims. The above comments under §102 relating to amended Claims 5-16 now in the case apply equally to the rejections under §103.

It is submitted that nothing in '515 or WO '95 teaches or suggests the present compositions which contain the metal catalyst, per the amended claims now in the case. Simply stated, since neither '515 nor WO '95 even mentions such catalysts, there is nothing in either document that could suggest their use in the compositions of the present invention, as a matter of both law and logic. Reconsideration and withdrawal of all rejections on this basis are therefore requested.

In light of the foregoing, early and favorable action on the claims now in the case is requested.

Respectfully submitted,
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